

May 28, 1984

LAGNIAPPE

SPECIAL EDITION

This Special Edition of the LAGNIAPPE is devoted to the new bills which are before the current Legislature. As you know, the fishing industry is very sensitive to legislation, so some of these bills may be very important to you. If you need information on any of these bills, call 1-800-272-8186 or 1-342-2456. The first number is toll-free, but is often busy. Someone at either number will be able to answer your questions on the progress of the bill or bills that interest you and when they will be heard in committee. If you have any other questions on how the legislature works or how a bill becomes a law, feel free to contact me at my office, 341-7271.

Senate Bills 88 and 105 - Nicholson and Chabert and House Bill 1020 - Guidry and Haik

Allows Louisiana residents to buy commercial shrimp vessel licenses at any time of the year. Non-residents will still have to buy their licenses between January 1 and February 1 of each year.

Senate Bill 106 - Chabert

Closes outside state waters (beach to 3 miles out) from January 15 to March 15. Also allows the commission a 15 day leeway either way on either date, if the commission gives 72 hours notice.

Also provides that no person may take, possess, sell or attempt to sell any white shrimp smaller than 100 count during this closed period. There is a 15% variance by count to allow for shrinkage on this restriction. Note: See similar bills - Senate Bill 458 and House bills 1019 and 1241.

Senate Bill 163 and House Bill 361 - Cross, Haik, Ackal and Decuir

Places a two year moratorium on shell dredging in Louisiana waters.

Senate Bill 379 - Kelly

Authorizes La. Dept. of Wildlife and Fisheries to make an agreement with the U.S. Fish and Wildlife Service to allow Federal agents to enforce Louisiana fish and wildlife laws.

Senate Bill 404 - Lauricella

Provides that anyone applying for any commercial fishermen's tax exemption must present a notarized statement with the application that he intends to make 50% or more of his income from commercial fishing.

Senate Bill 405 - Lauricella

Changes the legal size of oyster dredges that can be used from between 3 and 6 feet in width to under 4 feet in width.

Also reduces the number of oyster dredges that can be used on one vessel from 7 to 2.

Senate Bill 406 - Lauricella

Prohibits the state from granting an oyster lease to anyone under 16 years old who does not harvest the oysters off of the lease himself.

Senate Bill 407 - Lauricella

Permits the use of one sweeper 3 feet long on each wing net. All other devices are prohibited.

Senate Bill 408 - Lauricella

Prohibits bottom trawling at night for white shrimp in inside waters. (The bill specifies no hours.)

Also repeals the parts of 56:499.2 which specifically allow bottom trawling at night in certain areas of Lake Ponchartrain and the Intracoastal Waterway.

Senate Bill 434 - Newman

Prohibits transfer of ownership of a vessel to get around the law that only allows oyster vessel licences to be purchased between August 1 and September 10 or 30 days before Calcasieu oyster season opens. First offence is a minimum fine of \$1,500 and/or up to 1 year in jail and loss of vessel. Second and third offenses increase fines and jail time.

Senate Bill 435 - Newman

Limits oyster season in Calcasieu Lake to between November 15 and March 15.

Senate Bill 456 - Lauricella (by request)

Increases maximum size of butterfly nets from 12 to 16 feet.

Senate Bill 457 - Lauricella (by request)

Allows the Wildlife and Fisheries Commission to use a zone system for the brown shrimp season. Also provides that only one zone (not all three) must open by May 25 and that all zones will remain open for 50 days unless technical data shows a need for closure to protect white shrimp.

Senate Bill 458 - Lauricella (by request)

Gives the Wildlife and Fisheries Commission exclusive control over inside and outside state waters. Also provides that the season in outside waters (beach to 3 miles out) shall be closed from January 16 until March 15. If March 15 is a Sunday than the season will open on March 16.

Senate Bill 459 - Lauricella (by request)

Allows the use of butterfly nets only on a boat or vessel.
(Prohibits wharf nets)

Senate Bill 460 - Lauricella (by request)

Provides that the shrimp to which the possession count applies are those taken in either inside or outside waters and which are aboard a vessel or at the dock or which are in the possession of a first buyer.

Senate Bill 603 - Kiefer and others

Transfers all oyster leasing authority from the Department of Wildlife and Fisheries to the Department of Natural Resources.

Also transfers shell dredging authority to the Department of Natural Resources and provides that collection of severance taxes on shells be collected by the Department of Revenue instead of the Office of Coastal and Marine Resources.

Senate Bill 823 - Nunez

Provides that oyster dredge licences may be renewed at any time of the year. First time applicants would still have to apply between August 1 and September 10.

Senate Bill 460 - Lauricella (by request)

Provides one area in Plaquemines Parish and one in St. Bernard Parish where oysters may be harvested only with hand tongs or a single dredge. All oysters taken in these areas must be sacked on board the vessel and the limit is 50 sacks per day. These areas are now seed grounds.

Senate Bill 877 - Lauricella

Provides that oyster lease markers must be at least 200 feet apart so as not to interfere with navigation.

Senate Bill 911 - Nunez

Repeals the requirement that oyster vessel licenses must be purchased only between August 1 and September 10.

Senate Bill 912 - Nunez

Repeals the requirement that commercial shrimp licenses (both resident and non-resident) must be purchased between January 1 and February 1.

Senate Bill 941 - Nunez

Requires the Wildlife and Fisheries Commission to give at least 72 hours notice when opening or closing a shrimp season.

Senate Bill 972 - Lauricella

Prohibits the night shrimping with a bottom net (trawl?) in inside waters during white shrimp season. One-half hour before sunset to one-half hour before sunrise is the definition of night.

Senate Bill 990 - Landry (by request)

Prohibits the commercial trawling of crabs in outside state waters from 1 1/2 to 3 miles offshore.

House Bills 58 and 96 - Hand and Heaton

Prohibits shell dredging on Lakes Ponchartrain and Maurepas.

House Bill 171 - Heaton

Provides that gear permits to develop underutilized fisheries cannot be issued for speckled trout or redfish.

House Bill 236 - M. Hebert

Changes the period to buy commercial shrimp licenses from the month of January to the months of January and February.

House Bill 308 - Lebleu

Provides that holders of mineral leases and rights of way (such as oil and pipeline companies) lose their lease if they don't pay their assessed share into the Fishermen's Gear Compensation Fund (State Hang Fund).

House Bill 359 - Haik

Makes a wholesaler responsible for the possession of illegal undersized crabs unless the wholesaler can identify the person who sold them to him. In that case the seller is responsible.

House Bill 519 - Lowenthal

Provides that speckled trout and redfish cannot be taken by use of a net.

House Bill 722 - Haik

Increases the royalty fee for taking of oyster shells from reefs from 7½¢ per cubic yard to \$1.40 per cubic yard.

House Bill 808 - Kember

Authorizes the Wildlife and Fisheries Commission to suspend the minimum size limit on channel catfish (eel catfish) in any area of the state where biological data shows that it would not harm the resource.

House Bill 853 - Guidry

Prohibits the construction of any water control structures or dams that trap fish behind them on public water bodies.

House Bill 854 - Guidry

Prohibits the Department of Wildlife and Fisheries from issuing permits to harvest underutilized species unless the department is able to monitor their use.

House Bill 855 - Guidry

Prohibits fish farmers from growing any kind of finfish which were caught or trapped from public water bodies.

House Bills 895, 993 and 1636 - Hainkel, Haik, Guidry and Bella

Prohibits the use of butterfly nets that are stationary or anchored (for example, wharf or barge nets).

House Bill 959 - Guidry, Haik and Ackal

Clarifies language on 68 count minimum for white shrimp. Provides that "No person shall remove or purchase, as a first buyer, white saltwater head-on shrimp which average more than sixty-eight specimens to a pound."

Provides a 15% tolerance by number, to allow for shrinkage. This restriction does not apply to bait shrimp or shrimp imported from a foreign country.

House Bill 965 - Haik

Repeals provision that anyone using a trawl 16 feet or less does not have to buy a license.

House Bill 967 - Haik, Ackal, Decuir and Cross

Prohibits the Wildlife and Fisheries Commission from selling shell dredging rights south of the Intracoastal Waterway between Point Au Fer and Sabine Pass.

House Bills 983 and 1580 - M. Hebert, Gomez and others

Increases commercial fishing, crabbing, oystering, shrimping and seafood dealer licenses by five dollars each and allocates the money to the Louisiana Seafood Promotion and Marketing Board.

House Bill 994 - Haik

Provides that retail and wholesale seafood dealers, when buying shrimp from a fisherman, may only buy from a properly licensed commercial fisherman. The dealer is responsible for checking the license of the fisherman.

House Bill 1019 - Guidry and Haik

Gives the Wildlife and Fisheries Commission exclusive control over inside and outside state waters. Also provides that the season in outside waters (beach to 3 miles out) shall be closed from January 15 to March 15. Provides a 15-day leeway to the commission on outside season dates providing that a 72 hour notice is given.

Also provides that during the closure of outside waters no one may take, sell or possess white shrimp smaller than 100 count to the pound with a 15% tolerance by count to allow for shrinkage.

House Bill 1021 - Guidry

Creates a \$100 license fee for the sale of Louisiana shrimp by commercial shrimpers. Also permits the sale of finfish.
Also, repeals the shrimp vessel license.

House Bill 1234 - Benoit and others

Creates a license for fishing slat traps of \$5 for each 15 traps.

House Bill 1236 - Benoit and others

Creates a \$5 license which must be purchased by any restaurant selling alligator meat and any retailer who purchases alligator parts (includes meat) or sells canned alligator parts.

House Bill 1237 - Benoit and others

Allows licensed fur trappers from other states to sell their furs in Louisiana without purchasing a Louisiana fur trapping license.

House Bill 1239 - Benoit and others

Provides that information gathered by the Department of Wildlife and Fisheries from seafood dealers on amount and kinds of fish purchased from fishermen, shall be confidential and exempt from the Public Records Act.

House Bill 1241 - Benoit and others

Gives the Wildlife and Fisheries Commission exclusive control over inside and outside state waters. (The way this bill is written, outside state waters from the beach to 3 miles out, would have the same season dates as inside waters unless the commission would take action otherwise.)

House Bill 1243 - Benoit and others

Removes croaker, black drum, white trout, mackeral and sheepshead from the list of underutilized species and adds gafftop catfish, hard-head catfish, spot, pinfish and silver eels to the category.

House Bill 1244 - Benoit and others

Provides that gill nets, trammel nets and seines in saltwater areas cannot be left unattended. (This means that the fishermen must stay by his nets whenever they are set.)

House Bill 1245 - Benoit and others

Provides that fur trappers purchase their trapping license from the Department of Wildlife and Fisheries instead of through the tax collectors (sheriff's) office.

House Bill 1246 - Benoit and others

Redefines purse seine and prohibits their use in inside waters.

House Bill 1247 - Benoit and others

Creates a separate license for butterfly nets and beam trawls (including chopsticks) of \$25.

House Bill 1248 - Benoit and others

Authorizes the Wildlife and Fisheries Commission to remove the count limit on brown shrimp. (At present there is no count size only during the spring season and between November 15 and December 20.)

House Bill 1386 - Lowenthal

Makes speckled trout and redfish gamefish.

House Bill 1531 - Lowenthal

Puts a 50 fish per day limit on speckled and redfish for all

fishermen including commercial fishermen. Also extends provision limiting a person to 2 redfish over 36 inches long per day to commercial fishermen.

House Bills 1648 and 1734 - Kember and Haik

Provides a minimum mesh size of 3/4-inch for crawfish traps.

House Bill 1694 - Ripoll and M. Hebert

Creates a severance tax of one dollar per ton on any fish taken for use other than human consumption (menhaden, for example).

House Bill 1697 - Ullo and Bagert

Changes mesh size of saltwater seines from a minimum of 1-inch square to a flat 1-inch square (2-inches stretched). Changes saltwater trammel net mesh sizes. The outer layers are changed from a minimum of 3-inches square (6-inch stretched) to a minimum of 3-inches square and a maximum of 12-inches square (24-inches stretched). The inner layer is changed from a minimum of 1-inch square (2-inches stretched) to a minimum of 1 5/8-inches square (3 1/4-inches stretched). The mesh size on saltwater gill nets is changed from a minimum of 2-inches square (4-inches stretched) to a minimum of 1 3/4-inches square (3 1/2-inches stretched).

The tolerance for undersized commercial fish in the catch is changed from a 5% shrinkage allowable on each fish to 5% of the numbers of fish may be undersized.

Creates a \$5.50 saltwater sport fishing license for residents and non-residents. Also changes the one-month period when non-resident saltwater commercial fin fishermen must purchase their license from January to October.

Increases the license fee for saltwater seines, gill nets and trammel nets from \$10 per 600 feet of net to \$25 for 1200 feet. These licenses must also be purchased in October for the next year.

Creates a sellers license for anyone selling finfish (except menhaden) of \$100 for residents and \$400 for non-residents. This license and the vessel license for commercial saltwater fishing must also be purchased in October.

Money collected from sport and commercial saltwater finfishing licenses is to be used to support the Saltwater Finfish Section of the Seafood Division of the Department of Wildlife and Fisheries.

Repeals the use of shrimp seines except for bait seining. Also provides that no extensions or wings (sweepers) may be used on butterfly nets or beam trawls.

Also provides that any shrimper who wants to sell finfish must buy the \$100 sellers (\$400 for non-residents) license.

The bill also repeals the \$250 commercial rod and reel anglers license.

Senate Concurrent Resolution 28 and House Concurrent Resolution 57 - Nunez and Guidry

Creates the Task Force on Shrimp Management. The 15-member task force will be composed of industry members, university experts, consumer and recreation representatives, Department of Wildlife and Fisheries personnel and a state senator and representative.

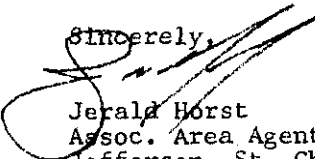
House Concurrent Resolution 58 - Haik and Guidry

Directs the Department of Wildlife and Fisheries to require that all saltwater shrimp imported into Louisiana for consumption or use by residents be labeled as to the country of origin.

Senate Concurrent Resolution 36 - Landry

Suspends the minimum size limit on channel catfish (eel catfish) until June 15, 1985. Also directs the Department of Wildlife and Fisheries to study suspension and prepare a report of the impact of the suspension on the fishery.

Sincerely,


Jerald Horst
Assoc. Area Agent (Fisheries)
Jefferson, St. Charles